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Attorneys for Defendant, Receivables Performance Management, LLC

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF NEW YORK**

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OMER LEVY,

Plaintiff

vs.

RECEIVABLES PERFORMANCE  
MANAGEMENT, LLC

Defendant.

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Action No. 11-3155

Receivables Performance  
Management, LLC  
Response to Demand  
For Production of  
Documents

TO: Joseph Mauro, Esq.  
306 McCall Ave.  
West Islip, NY 11795  
Attorneys for Plaintiff, Omer Levy

Defendant, Receivables Performance Management, LLC, by and through its attorneys, [REDACTED] and [REDACTED], submits the following as its Responses to the Plaintiff's Demand for Production of Documents.

GENERAL OBJECTIONS TO NOTICE TO PRODUCE

1. Defendant objects to each and every discovery request that seeks or may be deemed to seek attorney/client communications, attorney work-product materials protected by the work-product doctrine or materials prepared for litigation. Defendants also object to each and every discovery request which seeks materials that may disclose the mental impressions, conclusions, opinions or legal theories of any attorney or other representative of Defendants.
2. Defendant objects to each and every discovery request that seeks the production of documents or other materials that are not within Defendants' control, custody or possession.
3. Defendants objects to each and every discovery request that seeks production of documents or other materials that are not material and relevant to the subject matter of this litigation and is not reasonably calculated to lead to the discovery of admissible evidence.
4. Defendant objects to each and every discovery request to the extent it is overly broad and unduly burdensome.
5. Defendant object to each and every discovery request to the extent it seeks information which is within the knowledge and possession of the propounding defendant.

6. Defendant objects to each and every discovery request to the extent it seeks information which is outside the scope of permissible discovery pursuant to the Federal Rules of Evidence and applicable Case Management Orders.

7. Defendant objects to each and every discovery request to the extent it is vague, ambiguous or seeks information based upon hypothetical circumstances.

Defendant objects to each individual request as set forth in its individual responses.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Peter Cipparulo, III".

PETER CIPPARULO, III

January 12, 2012  
Our File No. 103-000

Defendant Receivables Performance Management, LLC's Final responses to Plaintiff's Demand for Production of Documents

1. This defendant objects to this Demand for Production of Documents as it is overbroad, burdensome and harassing in the scope of information sought. Notwithstanding said objection, attached please find call history report and notes reflecting Omer Levy's account.
2. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, defendant is confirming with the applicable manufacturers to determine if any such documents are available. Notwithstanding said objection, see attached Noble Systems manual.
3. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, defendant will make such documents available for inspection upon reasonable notice.
4. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, defendant will make such documents available for inspection upon reasonable notice.
5. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding this objection, all relevant information is available for inspection upon reasonable notice to defendant.
6. Please see answer to number 1.
7. Defendant has identified that an initial demand letter was sent to plaintiff. Defendant is in the process of obtaining a copy and will provide once obtained.



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8. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, all relevant information will be available for inspection upon reasonable notice to defendant.
9. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, all relevant information will be available for inspection upon reasonable notice to defendant.
10. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, all relevant information will be available for inspection upon reasonable notice to defendant.
11. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
12. Please refer to documents attached to Demand for Production of Document number 1.
13. Upon advice of counsel, defendant objects to this demand as not relevant.
14. See response to Demand for Production of Document number 1.
15. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply. Notwithstanding said objection, None
16. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply. Notwithstanding said objection, None.
17. This defendant objects to this Demand for Production of Documents as it is the request of information sought, defendant will seek to comply.

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18. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
19. Upon advice of counsel, defendant objects to this Demand for Production of Documents as not relevant.
20. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, all relevant information will be available for inspection upon reasonable notice to defendant.
21. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, all relevant information will be available for inspection upon reasonable notice to defendant.
22. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
23. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
24. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
25. None. Defendant reserves the right to amend this response through the course of continuing discovery and investigation.
26. Such documents are too voluminous to produce, but will be made available for inspection upon reasonable notice to defendant.
27. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, the documents are available for inspection upon reasonable notice to defendant.



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28. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, the documents are available for inspection upon reasonable notice to defendant.
29. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, the documents are available for inspection upon reasonable notice to defendant.
30. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. Notwithstanding said objection, the documents are available for inspection upon reasonable notice to defendant.
31. At this time, this defendant has not retained an expert. If and when such expert is retained, defendant will so advise.
32. This defendant objects to this Demand for Production of Documents as a violation of attorney work product doctrine as it calls for the mental impressions of counsel at time of trial. Such documents will be marked pursuant to the final pretrial order.
33. Please refer to defendant's answers to interrogatories.
34. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
35. See response to document demand No. 1
36. See response to document demand No. 1.
37. See attached.
38. All such documents are attached.

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39. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
40. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
41. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
42. See response to Demand for Production of Document No. 1.
43. None.
44. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought. If plaintiff limits the request of information sought, defendant will seek to comply.
45. None.
46. None.
47. See response to Demand for Production of Documents number 1. Defendant discovery and investigation.
48. See response to Demand for Production of Documents number 1.
49. See response to Demand for Production of Documents number 1.
50. Defendant is in the process of obtaining such documentation and will provide copy once received.



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51. This defendant objects to this Demand for Production of Documents as it is overbroad and burdensome in the scope of information sought.
52. See response to No. 50.